

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
Cor. W/S York Rd. & NE/S of
Schwartz Avenue- 6340-86 York * ZONING COMMISSIONER
Road (York Road Plaza)
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District
Wyaness Associates, Inc., * CASE # 95-53-SPH
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 6340-6386 York Road, known as the York Road Plaza, near the Baltimore County/Baltimore City line. This Petition is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) and seeks approval of an amendment of the site plan approved in cases No 66-105-RXA and 93-198-SPHA to modify same to the extent of any conflict with the site plan submitted in the instant case for the subject plaza. This includes the re-installation of the service garage at a location previously approved in 65-105-RXA. Also requested is an amendment to the approved development plan in case IX-597 to reflect the site plan offered in the instant case, designated as First Amended Development Plan.

The Petition is filed by Wyaness Associates, a partnership by Wyaness Associates, Inc., General Partner. Appearing on behalf of the Petitioner was Michael Trenery and Wilbur Simmons of Mid Atlantic Realty Trust, representing the property owner. Also appearing in support of the Petition was Zenas Sykes on behalf of Superior Foods of Maryland and Jean Tansey, a landscape architect from Daft, McCune and Walker, Inc., the engineers/land consultants who prepared the site plan. The Petitioner was represented by G.Scott Barhight, Esquire.

Numerous citizens from the surrounding residential communities also appeared and participated. Some of these residents testified in support of

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10/14/94
By *M. Hovak*

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the Petition, while others were opposed and still others appeared as interested persons. Among those present were Roberta E. Carter on behalf of the Schwartz Avenue Neighborhood Group and Joseph L. Welsh, Jr., on behalf of the Bellona-Gittings Avenue Association. Also appearing was Honey Holston, Janice Moore and Catherine H. Gross on behalf of the Rodgers Forge Community Association.

Testimony and evidence presented was that the subject site is approximately 7.83 acres in area and is zoned B.L.-C.C.C. As noted above, the subject site is immediately adjacent to the boundary line between Baltimore County and Baltimore City. In fact, the tract is bisected that line. The predominant acreage is located in Baltimore County (7.63 acres) with a small portion in Baltimore City (.20 acres).

The site is presently developed as the York Road Plaza Shopping Center and has been used in this fashion for many years. Presently, the use has a number of mixed uses including a Firestone Service Garage, a Giant Food Store, a movie theater and other retail/restaurant operations.

Mr. Trenery, on behalf of the property owner, indicated that the owners of the center have proposed significant renovation/restoration of the site. In furtherance of these plans, the matter previously came in before this office for development plan approval on case No. IX-597. A development plan was submitted at that time displaying the new layout. The development plan offered in that case was approved as submitted.

Mr. Trenery further testified that since approval of the development plan, certain changes have become necessary. Specifically, under the development plan, it was envisioned that the Firestone service garage operation would be relocated south of its present location near York Road. Unfortunately, however, the property owner has been unable to negotiate

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BY

the necessary lease arrangements to relocate the Firestone facility. Thus, the developer comes before me at this time under a Petition for Special Hearing seeking approval of certain amendments to the approved development plan. The chief feature of these amendments is the preservation of the Firestone service garage at its existing location and the construction of a 3,000 sq. ft. Boston Chicken Restaurant on the southeast portion of the tract near where the Firestone building was proposed. Moreover, it is of note that the Giant Food store will be greatly increased in size to 56,000 sq. ft. and the movie theaters will be removed. Also there will be 19,500 sq. ft. of new retail space. Mr. Trenery also described in great detail the other features of the proposed renovation including landscaping, changes to the building facade and signage. He noted that the owners of the Center hope to start work on these renovations in the Fall of 1994 and same would be completed in approximately 15 months.

Jean Tansey from Daft, McCune, Walker, the land consultants who prepared the plan, also testified. Her zoning plan was accepted into evidence (Exhibit No. 3), as was the First Amended Development Plan (Exhibit No. 2), and the landscaping plan (Exhibit No. 4). Ms. Tansey explained in detail the salient features of these plans.

Also testifying in support of the plan was Andrea VanArsdale from the Office of Planning and Zoning (OPZ). She expressed her department's support of the plan as revised. She particularly applauded the efforts that the owners of the shopping center were making to provide additional landscaping around and adjacent to the subject property. She suggested that any Order granting the special hearing include a provision that the final landscaping plan would be subject to approval by the Director of the Office of Planning and Zoning and the County's Landscape Architect. Ms. VanArsdale also noted

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that although her department's initial Zoning Plans Advisory Committee (ZAC) comments raised a number of doubts about the propriety of the plan, negotiations between the property owner and the Office of Planning and Zoning, subsequent to the issuance of those comments, resolved those issues and are reflected on the plan before me.

As to the residents who appeared, their positions were varied. Ms. Carter, on behalf of the Schwartz Avenue Neighborhood Group, expressed support for the proposal. She noted that additional landscaping was to be implemented by the developer which would buffer her community and provide plantings along the interior streets of same. Correspondence was also received from the Gaywood Community Association wherein support for the proposed changes was expressed. Other community representatives object to the changes. Interestingly, Ms. Holston, President of the Rodgers Forge Community Association and Ms. Moore, the Association's zoning representative differed on the reasons why their community association opposed the project. The record fully reflects their testimony. However, concerns over increased traffic volumes and the character of the proposed restaurant were the primary focus of the Protestants' objections. The Protestants believe that the changes to the Center will only aggravate existing traffic congestion within the subject site and in the vicinity.

In considering the merits of the relief requested in the Petition for Special Hearing, it is significant to note that this case does not come before me as a re-litigation of the development plan issues. That is, general issues as to traffic and the compliance with County regulations have been decided and approved by Deputy Commissioner Kotroco within the development plan. The focus of the hearing before me is only to consider the amendments

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By

W. J. F. F. F.

thereto and whether same will be detrimental to the surrounding locale and inconsistent with the purposes of the plan.

Based upon the cumulative testimony and evidence offered, I am persuaded that the plan should be approved and will so order. I do not share the Protestants' fears that the changes contemplated will aggravate the traffic situation in this community. In this regard, it is of note that a parking variance is not requested in the instant case. The plan appears to be well thought out and appropriate for this area. Obviously, this shopping center has been at this location for many years. This is not a new venture at a previously undeveloped site. Although the new uses will obviously generate traffic, it is of note that this will be offset by the loss of traffic to the movie theater and other tenants. Thus, I believe that the record supports a finding that the proposed changes will not be detrimental to the health, safety and general welfare of the locale and should be approved.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 4TH day of October, 1994 that, pursuant to the Petition for Special Hearing, approval of an amendment to the previously approved site plan in cases No 66-105-RXA and 93-198-SPHA to modify same to the extent of any conflict with the site plan submitted in the instant case for the subject plaza, including the re-installation of the service garage at a location previously approved in case No. 65-105-RXA, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to an amendment to the approved development plan in case IX-597 to reflect the site plan offered in the instant case, designated as First Amended Development Plan, be and is hereby

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Date

10/6/94


By

M. G. Gough

GRANTED subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The final landscaping plan for the subject site shall be submitted for approval by the Director of the Office of Planning and Zoning and the County's Landscape Architect.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 10/4/98
By M. Gorak

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 3, 1994

G. Scott Barhight, Esquire
Towson Commons
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 95-53-SPH
Wyaness Associates, Petitioner
York Road Plaza

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Messrs. Michael Trenery and Wilbur Simmons, Mid-Atlantic Realty Trust
Roberta E. Carter, Schwartz Ave. Neighborhood Group
Joseph L. Welsh, Jr., Bellona-Gittings Avenue Assoc.
Mrs. Honey Holston, President, Rodgers Forge Community Assoc.
Mrs. Janice Moore & Mrs. Catherine H. Gross, Rodgers Forge Comm.Assn.
Mrs. Greta Owens, Baltimore City Planning Dept.





Petition for Special Hearing

95-53-SPH

to the Zoning Commissioner of Baltimore County

for the property located at York Road Plaza, 6340-86 York Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment of cases no. 66-105 RXA and 93-198 SPHA to modify the approved site plan to the extent of any conflict with the attached site plan for the Plaza which includes reinstating the service garage in the location approved in case no. 66-105 RXA, and an amendment to the approved Development Plan IX-597 to reflect the attached new 1st Amended Development Plan.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

G. Scott Barlick
(Type or Print Name)

Signature

210 W. Penn. Ave 832-2050
Address Phone No.

Towson 21204
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): WYANESS ASSOCIATES
By: Wyanness Associates, Inc., General Partner

(Type or Print Name)

X F. Patrick Hughes
Signature

F. Patrick Hughes, President and Essanwy, Inc. General Partner

(Type or Print Name)

X F. Patrick Hughes
Signature

F. Patrick Hughes, President c/o Mid-Atlantic Realty Trust

1306 Concourse Dr., Suite 200 (410) 684-2000
Address Phone No.

P.O. Box 497 Linthicum MD 21090-0497
City State Zipcode

Name, Address and phone number of representative to be contacted.

Michael C. Trenery
Name (Same as above)

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr. +
unavailable for hearing

the following dates: Next Two Months

ALL OTHER

REVIEWED BY: MSK DATE 8/10/94

Description

95-53-SPH

to Accompany Petition for Zoning Variance,
7.038 Acre Parcel, West Side of York Road,
Northeast Side of Schwartz Avenue,
Ninth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,
Landscape Architects,

Engineers, Surveyors &
Environmental Professionals

Beginning for the same on the west side of York Road, 66 feet wide, and at a point located North 88 degrees 53 minutes, 30 seconds West 33.00 feet from a point on the centerline of said York Road, said last mentioned point being distant 226 feet, more or less, as measured North 01 degree 06 minutes 30 seconds East along said centerline of York Road from its intersection with the centerline of Schwartz Avenue, 30 feet, wide, running thence binding on the aforementioned west side of York Road, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) North 01 degree 06 minutes 30 seconds East 329.30 feet, thence two courses: (2) North 71 degrees 37 minutes 10 seconds West 600.00 feet, and (3) South 24 degrees 52 minutes 10 seconds West 440.12 feet to a point on the northeast side of Schwartz Avenue herein referred to, thence binding thereon, (4) South 67 degrees 01 minute 06 seconds East 587.36 feet to a point on the northern boundary line of Baltimore City, thence binding thereon, (5) Due East 81.43 feet, thence two courses: (6) North 08 degrees 05 minutes 37 seconds East 113.45 feet, and (7) South 88 degrees 53 minutes 30 seconds East 110.00 feet to the point of beginning; containing 7.038 acres of land, more or less.

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95-53-JPH

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

December 8, 1992

Project No. 91119.A (L91119A)



95-53-SPH

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 8/27/94

Posted for: Special Hooring

Petitioner: York Rd. Plaza & Wyandness Associates

Location of property: 6540-84 York Rd, W/S

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by: M. Stoddy Date of return: 9/2/94
Signature

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:

95-53-SPH (Item 51)

6340-86 York Road

York Road Plaza
corner W/S York Road and
NE/S Schwartz Avenue

9th Election District

4th Councilmanic

Petitioner(s):

Wyness Associates

HEARING: THURSDAY,

SEPTEMBER 22, 1994 at

2:00 P.m. in Rm. 118, Old
Courthouse.

Special Hearing: to approve an amendment of cases #66-105-RXA and #93-198-SPHA to modify the approved site plan to the extent of any conflict with the submitted site plan, which includes reinstating the service garage in the location approved in case #66-105-RXA and an amendment to the approved development plan IX-597 to reflect the submitted new 1st Amended Development Plan.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

8/269 August 25.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

8/26

, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

~~Publication~~



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-53-SPH

Account: R-001-6150

Number

Item Number: 37

Taken In By: JMSH

Date 8/10/94

Wyanness Associates — 6340-86 York Rd

040 — Special Hearing (various) — \$250.00

000 — 1 Sign — \$35.00

Total — \$285.00

[Signature]

02AUG94 025441 CHRG

11 07 00

BA 0611136000-11-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 51
Petitioner: Wygness Associates
Location: 6340-86 York Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael C. Trener, Mid-Atlantic Realty Trust
ADDRESS: 1306 Concourse Dr, Suite 200
P.O. Box 497, Lutherville, MD 21090-0497
PHONE NUMBER: 684-2000

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AJ:ggs

(Revised 04/09/93)

TO: PUTOKENT PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Michael C. Trenery
Mid-Atlantic Realty Trust
1306 Concourse Drive, Suite 200
Linthicum, Maryland 21090-0497
684-2000

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-53- SPH (Item 51)
6340-86 York Road -- York Road Plaza
corner W/S York Road and NE/S Schwartz Avenue
9th Election District - 4th Councilmanic
Petitioner(s): Wyness Associates
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment of cases #66-105-RXA and #93-198-SPHA to modify the approved site plan to the extent of any conflict with the submitted site plan, which includes reinstating the service garage in the location approved in case #66-105-RXA and an amendment to the approved development plan IX-597 to reflect the submitted new 1st Amended Development Plan.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

206-17-2-3-1

file

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 19, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-53- SPH (Item 51)
6340-86 York Road -- York Road Plaza
corner W/S York Road and NE/S Schwartz Avenue
9th Election District - 4th Councilmanic
Petitioner(s): Wyaness Associates
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment of cases #66-105-RXA and #93-198-SPHA to modify the approved site plan to the extent of any conflict with the submitted site plan, which includes reinstating the service garage in the location approved in case #66-105-RXA and an amendment to the approved development plan IX-597 to reflect the submitted new 1st Amended Development Plan.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Wyaness Associates/Mid-Atlantic Realty Trust
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEP. 07 1994

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 51, Case No. 95-53-SPH
Petitioner: Wyaness Associates/Mid-Atlantic Realty

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 10, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:qgs

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM

FROM: Jeffrey Long
Office of Planning & Zoning

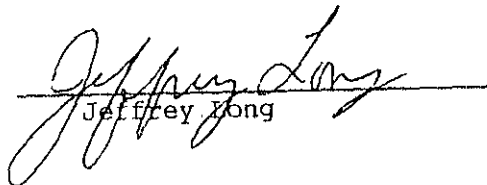
DATE: August 26, 1994

SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following Petitions:

ITEM NOs. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,
and 61.

Please contact me if you have any questions or require additional information.


Jeffrey Long

JL:bjs

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AUG 29 1994

ZADM

STEPHENS.JL/PZONE/ZAC1

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

8-19-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 751 (MOK)

95-551

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

2015-08-19 10:00 AM

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/18/94

95-53

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: WYNESS ASSOCIATES

LOCATION: CORNER W/S YORK RD. AND HE/S SCHARTZ AVE. (6340-86 YORK RD.,
YORK ROAD PLAZA)

Item No.: 51

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Fire Safety Code", 1991 edition prior to occupancy.

RECEIVED

AUG 19 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-110PF

cc: file

95-53



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 23, 1994

SUBJECT: 6340-86 York Road

INFORMATION:

Item Number: 51

Petitioner: Wyanness Associates

Property Size: _____

Zoning: B.L.-C.C.C.

Requested Action: _____

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

The petitioner requests approval of a first amendment to the previously approved development plan, Case No. 93-198SPHA and file IX-597.

York Plaza is within the Towson Community Plan area and is mapped as Urban Center/Employment area. Adjacent residentially zoned communities are within a Community Conservation area (Outer Neighborhood). The first amended development plan and first amended landscape plan dated June 30, 1994 have been reviewed by this office. The development plan indicated 87,300 sq. ft. of gross floor area with 415 parking spaces required and 392 parking spaces provided as compared with the first amended development plan which indicated 93,538 sq. ft. of gross floor area with 485 parking spaces required and 391 provided.

Numerous changes have been made to the plan including retention of the existing Firestone service garage and the addition of the free standing Boston Chicken family restaurant. These changes result in a plan that has site circulation problems and landscaping deficiencies and, therefore, are inconsistent with the Towson Community Plan.

This office recommends approval of the first amended plan provided the following revisions are made to the plan.

LANDSCAPING AND PEDESTRIAN CIRCULATION

1. Restore the landscape area at the north side of the main entrance; this will mean removing three parking spaces.
2. Close the 40' wide curb cut near the Firestone building; this will allow for 5 parking spaces to be added.
3. Add landscape treatment in the island to the rear of the Firestone building.
4. Add a sidewalk on the north side of the entrance driveway to improve pedestrian circulation from York Road to the shopping center.
5. Restore the landscape area at the south corner of York Road and the Boston Chicken restaurant; this will involve removing two parking spaces. Relocate the dumpster behind Boston Chicken.
6. Restore the landscape area along Schwartz Avenue to provide a visually pleasing buffer for the residential community. Provide a detail for the wrought iron fence showing height, type and location of all planting materials. The planting materials should be planted on both sides of the fence.
7. The paved plaza area at the corner of the proposed Giant and retail building is much larger than shown on the previous plan. A landscape plan for this plaza area should be provided for the Office of Planning and Zoning's review.
8. Restore the uniform row of street trees from boundary to boundary along York Road.

SIGNATURE

1. A new sign detail should be provided for the York Plaza Shopping Center identification sign. It is preferable to add Firestone and Boston Chicken to the shopping center identification sign instead of separate freestanding signs.

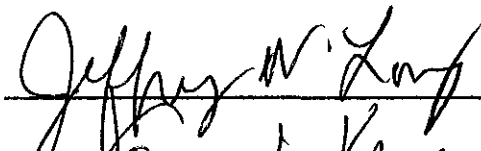
TRANSPORTATION

1. The bus stop along York Road should be relocated in accordance with comments provided by the M.T.A.

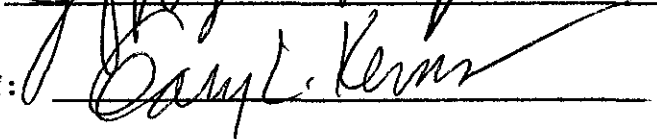
DESIGN

1. Elevation drawings should be provided for the Boston Chicken family restaurant.

Prepared by:



Division Chief:



PK/JL:lw

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 9, 1994

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-53-SPH, Item No. 51
Petitioner: Wyaness Association/Mid-Atlantic Realty

Dear Mr. Barhight:

Enclosed are copies of comments received from Office of Planning
and Zoning on September 2, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

Joyce Watson

Enclosure



4395-94

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 23, 1994

SUBJECT: 6340-86 York Road

INFORMATION:

Item Number: 51

Petitioner: Wyaness Associates

Property Size: _____

Zoning: B.L.-C.C.C.

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The petitioner requests approval of a first amendment to the previously approved development plan, Case No. 93-198SPHA and file IX-597.

York Plaza is within the Towson Community Plan area and is mapped as Urban Center/Employment area. Adjacent residentially zoned communities are within a Community Conservation area (Outer Neighborhood). The first amended development plan and first amended landscape plan dated June 30, 1994 have been reviewed by this office. The development plan indicated 87,300 sq. ft. of gross floor area with 415 parking spaces required and 392 parking spaces provided as compared with the first amended development plan which indicated 93,538 sq. ft. of gross floor area with 485 parking spaces required and 391 provided.

Numerous changes have been made to the plan including retention of the existing Firestone service garage and the addition of the free standing Boston Chicken family restaurant. These changes result in a plan that has site circulation problems and landscaping deficiencies and, therefore, are inconsistent with the Towson Community Plan.

RECEIVED

SEP 2 1994

ZADM

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
6340-86 York Road - York Road Plaza		
cor W/S York Road and NE/S Schwartz	*	ZONING COMMISSIONER
Avenue, 9th Election Dist, 4th		
Councilmanic	*	OF BALTIMORE COUNTY
Wyaness Associates	*	CASE NO. 95-53-SPH
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

8/8/94
y

3997-94
EIS

JOE

RODGERS FORGE COMMUNITY ASSN., INC.

IX-597

AUGUST 4, 1994

Please be advised that the Rodgers Forge Community **has not** formed a position on the requested variance request for a free-standing 3,000 square foot building next to the Texaco station on the west side of York Road in the York Road Plaza as proposed by the Mid-Atlantic Realty Trust at a special meeting of our board on July 25, 1994 until the next regular board meeting to be held on September 21, 1994.

Of interest, this proposal was reviewed by some of our board (fourteen members) on July 13 and thirteen members favored **not** to approve the requested variance for the 3,000 square foot building.

We trust that your office will consider our community input in mid-September.

Sincerely,

Honey Holston

Honey Holston
President, R.F.C.A.

RECEIVED
AUG 8 1994

ZADM

10/1/94

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Phyllis E. Carter Schwartz Ave neighborhood group

407 Schwartz Ave. Balto, MD 21212-2125

JANICE MOORE ROGERS FOGGE

138 DUMBARTON RD BALTO MD 21212

Catherine H. Gross ROGERS FOGGE

323 Hopkins Rd. 21212-1820

William H. Gross

323 Hopkins Rd 21212

Honey Hobbs - President E.F.C.A.

94 Dunkirk Rd. 21212

Carol L. Zielke - resident

325 MURDOCK RD 21212

BRIAN GREEN

407 Concord Rd 21212

Joseph L. Webb Jr. Bellona Getting assn

6300 Pinehurst Rd 21212

Greta Owens Balto City Planning Dept

417 E. Fayette St. 21202

Donald Gerding Rodgers-Fogge

335 Old Trail 21202

Send
copies
order

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Michael Treney

Mid-Atlantic Realty Trust - 1366 Concourse Dr.
Linthicum 21090

JEFF SYKES

Superior Foods of MD. 2303-H FOREST DR
Annapolis, MD 21401

JEAN TANSEY

DMW Inc., 200 E. PA. AV. 21286

William Simmons

Mid-Atlantic Realty Trust 306 Concourse Dr.
S. 202 Linthicum, MD



PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

Andrea Van Arsdale
JOE MARANTO

Office of Planning & Zoning
ZADM



March 11, 2011

O. James Lighthizer, Secretary



John A. Agro, Jr., Administrator



MARYLAND DEPARTMENT OF TRANSPORTATION

MASS TRANSIT ADMINISTRATION

300 West Lexington Street • Baltimore, Maryland 21201-3415

TO: Arnold Jablon, Director

FROM: Valerie Schwaab, Regional Planner
Mass Transit Administration

DATE: September 9, 1994

SUBJECT: Site Plan Review of 6340-86 York Road

The Mass Transit Administration supports the relocation of the curbside bus stop currently located in front of WMAR-TV to the entrance of York Road Plaza, the predominant destination for patrons using the WMAR-TV stop. This relocation will place the bus stop at the crosswalk connecting the York Road Plaza and the Anneslie Shopping Center thereby improving pedestrian access to both sites.

The bus stop, consisting of a bench and a route identification sign should be incorporated into the landscape and sidewalk plan for the north side of the main entrance.

Please have the developer contact me at 333-1584 should he/she require any information of the MTA.

Thank you.

**PETITIONER'S
EXHIBIT** No 1

cc: Leonard Barber

MICROFILMED

My phone number (410) _____

FAX number (410) _____

TDD for people who are hearing and/or speech impaired _____

**GAYWOOD COMMUNITY ASSOCIATION
P.O. BOX 10153
TOWSON, MD 21285**

Mid-Atlantic Reality Trust
Gateway International
1306 Concourse Drive
P.O. Box 497
Linthicum, MD 21090-0497

**PETITIONER'S
EXHIBIT** No 5

Attn. Mr. Michael Trenery, Vice President

Re: York Road Plaza Shopping Center
Redevelopment Proposal

Dear Mr. Trenery:

The Gaywood Association Board is in receipt of the artist conceptual drawing to the above referenced proposal, which shows the relocation of the Boston Chicken Restaurant.

The Board discussed the project proposal at the August meeting and understands that because of a variety of constraints the plan now shows the restaurant on York Road adjacent to the Texaco Station. The Board has reviewed this and has no real objections to the change. The only concern raised was that it appeared as if there could be more landscaping of the site.

In brief, therefore, the Association Board views the overall site changes as a plus to the community.

Best Regards,



Kevin B. Reece,
Gaywood Community Association President

WMA 10/15/85

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF **RODGERS FORGE**
BALTIMORE, MD. 21212

September 22, 1994

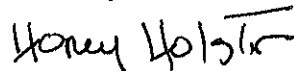
Zoning Commissioner
Baltimore County

Please be advised that the Rodgers Forge Community has formed a position on the requested variance request for a free-standing 3,000 square foot building next to the Texaco station on the west side of York Road in the York Road Plaza as proposed by the Mid-Atlantic Realty Trust.

Of interest, this proposal was reviewed by our board on July 13, 1994 and at a special meeting of our board on July 25, 1994. On September 21, 1994 our board meeting produced the position NOT to approve the requested variance for the 3,000 square foot building.

We trust that your office will consider our community input.

Sincerely,



Honey Holston
President - Rodgers Forge Community
Association

FILED
EXHIBIT NO. 1

RECEIVED

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
Cor. W/S York Rd. & NE/S of * ZONING COMMISSIONER
Schwartz Avenue- 6340-86 York *
Road (York Road Plaza) * OF BALTIMORE COUNTY
9th Election District
4th Councilmanic District
Wyaness Associates, Inc., * CASE # 95-53-SPH
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 6340-6386 York Road, known as the York Road Plaza, near the Baltimore County/Baltimore City line. This Petition is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) and seeks approval of an amendment of the site plan approved in cases No 66-105-RXA and 93-198-SPHA to modify same to the extent of any conflict with the site plan submitted in the instant case for the subject plaza. This includes the re-installation of the service garage at a location previously approved in 65-105-RXA. Also requested is an amendment to the approved development plan in case IX-597 to reflect the site plan offered in the instant case, designated as First Amended Development Plan.

The Petition is filed by Wyaness Associates, a partnership by Wyaness Associates, Inc., General Partner. Appearing on behalf of the Petitioner was Michael Trenery and Wilbur Simmons of Mid Atlantic Realty Trust, representing the property owner. Also appearing in support of the Petition was Zenas Sykes on behalf of Superior Foods of Maryland and Jean Tansey, a landscape architect from Daft, McCune and Walker, Inc., the engineers/land consultants who prepared the site plan. The Petitioner was represented by G.Scott Barhight, Esquire.

Numerous citizens from the surrounding residential communities also appeared and participated. Some of these residents testified in support of

the Petition, while others were opposed and still others appeared as interested persons. Among those present were Roberta E. Carter on behalf of the Schwartz Avenue Neighborhood Group and Joseph L. Welsh, Jr., on behalf of the Bellona-Gittings Avenue Association. Also appearing was Honey Holston, Janice Moore and Catherine H. Gross on behalf of the Rodgers Forge Community Association.

Testimony and evidence presented was that the subject site is approximately 7.83 acres in area and is zoned B.L.-C.C.C. As noted above, the subject site is immediately adjacent to the boundary line between Baltimore County and Baltimore City. In fact, the tract is bisected that line. The predominant acreage is located in Baltimore County (7.63 acres) with a small portion in Baltimore City (.20 acres).

The site is presently developed as the York Road Plaza Shopping Center and has been used in this fashion for many years. Presently, the use has a number of mixed uses including a Firestone Service Garage, a Giant Food Store, a movie theater and other retail/restaurant operations.

Mr. Trenery, on behalf of the property owner, indicated that the owners of the center have proposed significant renovation/restoration of the site. In furtherance of these plans, the matter previously came in before this office for development plan approval on case No. IX-597. A development plan was submitted at that time displaying the new layout. The development plan offered in that case was approved as submitted.

Mr. Trenery further testified that since approval of the development plan, certain changes have become necessary. Specifically, under the development plan, it was envisioned that the Firestone service garage operation would be relocated south of its present location near York Road. Unfortunately, however, the property owner has been unable to negotiate

-2-

ORDER RECEIVED FOR FILING
Date 10/4/94
By Jm. Hark

thereto and whether same will be detrimental to the surrounding locale and inconsistent with the purposes of the plan.

Based upon the cumulative testimony and evidence offered, I am persuaded that the plan should be approved and will so order. I do not share the Protestants' fears that the changes contemplated will aggravate the traffic situation in this community. In this regard, it is of note that a parking variance is not requested in the instant case. The plan appears to be well thought out and appropriate for this area. Obviously, this shopping center has been at this location for many years. This is not a new venture at a previously undeveloped site. Although the new uses will obviously generate traffic, it is of note that this will be offset by the loss of traffic to the movie theater and other tenants. Thus, I believe that the record supports a finding that the proposed changes will not be detrimental to the health, safety and general welfare of the locale and should be approved.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 4th day of October, 1994 that, pursuant to the Petition for Special Hearing, approval of an amendment to the previously approved site plan in cases No 66-105-RXA and 93-198-SPHA to modify same to the extent of any conflict with the site plan submitted in the instant case for the subject plaza, including the re-installation of the service garage at a location previously approved in case No. 65-105-RXA, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to an amendment to the approved development plan in case IX-597 to reflect the site plan offered in the instant case, designated as First Amended Development Plan, be and is hereby

-5-

ORDER RECEIVED FOR FILING
Date 10/4/94
By Jm. Hark

GRANTED subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The final landscaping plan for the subject site shall be submitted for approval by the Director of the Office of Planning and Zoning and the County's Landscape Architect.

LES:mmn

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 3, 1994

G. Scott Barhight, Esquire
Towson Commons
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 95-53-SPH
Wyaness Associates, Petitioner
York Road Plaza

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

cc: Messrs. Michael Trenery and Wilbur Simmons, Mid-Atlantic Realty Trust
Roberta E. Carter, Schwartz Ave. Neighborhood Group
Joseph L. Welsh, Jr., Bellona-Gittings Avenue Assoc.
Mrs. Honey Holston, President, Rodgers Forge Community Assoc.
Mrs. Janice Moore & Mrs. Catherine H. Gross, Rodgers Forge Comm.Assn.
Mrs. Greta Owens, Baltimore City Planning Dept.

ORDER RECEIVED FOR FILING
Date 10/4/94
By Jm. Hark

-3-

the necessary lease arrangements to relocate the Firestone facility. Thus, the developer comes before me at this time under a Petition for Special Hearing seeking approval of certain amendments to the approved development plan. The chief feature of these amendments is the preservation of the Firestone service garage at its existing location and the construction of a 3,000 sq. ft. Boston Chicken Restaurant on the southeast portion of the tract near where the Firestone building was proposed. Moreover, it is of note that the Giant Food store will be greatly increased in size to 56,000 sq. ft. and the movie theaters will be removed. Also there will be 19,500 sq. ft. of new retail space. Mr. Trenery also described in great detail the other features of the proposed renovation including landscaping, changes to the building facade and signage. He noted that the owners of the Center hope to start work on these renovations in the Fall of 1994 and same would be completed in approximately 15 months.

Jean Tansey from Daft, McCune, Walker, the land consultants who prepared the plan, also testified. Her zoning plan was accepted into evidence (Exhibit No. 3), as was the First Amended Development Plan (Exhibit No. 2), and the landscaping plan (Exhibit No. 4). Ms. Tansey explained in detail the salient features of these plans.

Also testifying in support of the plan was Andrea VanArsdale from the Office of Planning and Zoning (OPZ). She expressed her department's support of the plan as revised. She particularly applauded the efforts that the owners of the shopping center were making to provide additional landscaping around and adjacent to the subject property. She suggested that any Order granting the special hearing include a provision that the final landscaping plan would be subject to approval by the Director of the Office of Planning and Zoning and the County's Landscape Architect. Ms. VanArsdale also noted

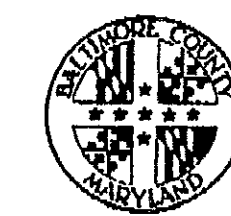
that although her department's initial Zoning Plans Advisory Committee (ZAC) comments raised a number of doubts about the propriety of the plan, negotiations between the property owner and the Office of Planning and Zoning, subsequent to the issuance of those comments, resolved those issues and are reflected on the plan before me.

As to the residents who appeared, their positions were varied. Ms. Carter, on behalf of the Schwartz Avenue Neighborhood Group, expressed support for the proposal. She noted that additional landscaping was to be implemented by the developer which would buffer her community and provide plantings along the interior streets of same. Correspondence was also received from the Gaywood Community Association wherein support for the proposed changes was expressed. Other community representatives object to the changes. Interestingly, Ms. Holston, President of the Rodgers Forge Community Association and Ms. Moore, the Association's zoning representative differed on the reasons why their community association opposed the project. The record fully reflects their testimony. However, concerns over increased traffic volumes and the character of the proposed restaurant were the primary focus of the Protestants' objections. The Protestants believe that the changes to the Center will only aggravate existing traffic congestion within the subject site and in the vicinity.

In considering the merits of the relief requested in the Petition for Special Hearing, it is significant to note that this case does not come before me as a re-litigation of the development plan issues. That is, general issues as to traffic and the compliance with County regulations have been decided and approved by Deputy Commissioner Kotroco within the development plan. The focus of the hearing before me is only to consider the amendments

-4-

ORDER RECEIVED FOR FILING
Date 10/4/94
By Jm. Hark



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at York Road Plaza, 6340-86 York Road
which is presently zoned BL-COC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, and 93-198 SPHA to modify the approved site plan to the extent of any conflict with the attached site plan for the Plaza which includes reinstalling the service garage in the location approved in case no. 66-105 RXA, and an amendment to the approved Development Plan IX-597 to reflect the attached new 1st Amended Development Plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zip Code

Phone No.

Estimated Length of Hearing

Revised Two Months

ALL

RECEIVED BY

DATE

Legal Owner(s):
WYANESS ASSOCIATES, Inc., General Partner

(Type or Print Name)
Signature
F. Patrick Hughes, President
and Essammy, Inc. General Partner

(Type or Print Name)
Signature
F. Patrick Hughes, President
c/o Mid-Atlantic Realty Trust
1006 Concourse Dr., Suite 200 (410) 694-2000

P.O. Box 497
Linthicum MD 21090-0497
City State Zip Code

Name, Address and phone number of representative to be contacted.

Michael C. Trenery
Name (Same as above) Phone No.

Address

Office Use Only

Revised Two Months

ALL

RECEIVED BY

DATE

Description **95-53-SPH**
to Accompany Petition for Zoning Variance,
7.038 Acre Parcel, West Side of York Road,
Northeast Side of Schwartz Avenue,
Ninth Election District, Baltimore County, Maryland

DMW
Duke AP Cane-Wallace, Inc.
350 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 3333
Fax 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Beginning for the same on the west side of York Road, 66 feet wide, and at a point located North 88 degrees 53 minutes, 30 seconds West 33.00 feet from a point on the centerline of said York Road, said last mentioned point being distant 226 feet, more or less, as measured North 01 degree 06 minutes 30 seconds East along said centerline of York Road from its intersection with the centerline of Schwartz Avenue, 30 feet, wide, running thence binding on the aforementioned west side of York Road, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) North 01 degree 06 minutes 30 seconds East 329.30 feet, thence two courses: (2) North 71 degrees 37 minutes 10 seconds West 600.00 feet, and (3) South 24 degrees 52 minutes 10 seconds West 440.12 feet to a point on the northeast side of Schwartz Avenue herein referred to, thence binding thereon, (4) South 67 degrees 01 minute 06 seconds East 587.36 feet to a point on the northern boundary line of Baltimore City, thence binding thereon, (5) Due East 81.43 feet, thence two courses: (6) North 08 degrees 05 minutes 37 seconds East 113.45 feet, and (7) South 88 degrees 53 minutes 30 seconds East 110.00 feet to the point of beginning; containing 7.038 acres of land, more or less.

Page 1 of 2

51

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.
December 8, 1992
Project No. 91119.A (L91119A)



Page 2 of 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 8/19/94
Posted for: Special Hearing
Petitioner: Wynness Associates, 6340-86 York Rd, Towson, MD 21204
Location of property: 6340-86 York Rd, W/S
Location of Sign: Facing the subject property, back corner
Remarks: _____
Posted by: [Signature] Date of return: 8/19/94
Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,
A. H. HARRIS
LEGAL AD. - TOWSON
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case Number: 95-53-SPH (Item 51)
6340-86 York Road
York Road Plaza
corner W/S York Road and
W/S Schwartz Avenue
9th Election District
Petitioner(s): Wynness Associates
Hearing: THURSDAY, SEPTEMBER 22, 1994 at 2:00 P.M. in Rm. 118, Old Courthouse.
Special Hearing: to approve an amendment of cases #66-105-RXA and #93-198-SPHA to modify the approved site plan to the extent of any conflict with the submitted site plan, which includes reinstating the service garage in the location approved in case #66-105-RXA and an amendment to the approved development plan IX-597 to reflect the submitted new 1st Amended Development Plan.
LAWRENCE E. SCHMIDT, Zoning Commissioner for Baltimore County
NOTES: (1) Hearing and Hearing Roomed accessible for special accommodations. Please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3353.
8899 August 25.

receipt
95-53-SPH
Account: R 001-6150
Number: 2400-4000: 51
Taken on 8/25/94

Date: 8/10/94
Wynness Associates - 6340-86 York Rd
040 - Special Hearing (Comm) - \$250.00
050 - 1895 - \$35.00
Total - \$285.00

Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 51
Petitioner: Wynness Associates
Location: 6340-86 York Rd

PLEASE FORWARD ADVERTISING BILL TO:
NAME: Michael C. Treaney, Mid-Atlantic Realty Trust
ADDRESS: 1306 Concourse Drive, Suite 200
P.O. Box 497, Lutham, MD 21090-0497
PHONE NUMBER: 684-2000

AJ:ggg (Revised 04/09/93)

TO: PUTOZYNY PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:
Michael C. Treaney
Mid-Atlantic Realty Trust
1306 Concourse Drive, Suite 200
Lutham, Maryland 21090-0497
684-2000

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case Number: 95-53-SPH (Item 51)
6340-86 York Road - York Road Plaza
corner W/S York Road and W/S Schwartz Avenue
9th Election District - 4th Councilmanic
Petitioner(s): Wynness Associates
Hearing: THURSDAY, SEPTEMBER 22, 1994 at 2:00 p.m. in Room 118, Old Courthouse.
Special Hearing: to approve an amendment of cases #66-105-RXA and #93-198-SPHA to modify the approved site plan to the extent of any conflict with the submitted site plan, which includes reinstating the service garage in the location approved in case #66-105-RXA and an amendment to the approved development plan IX-597 to reflect the submitted new 1st Amended Development Plan.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

AUGUST 19, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case Number: 95-53-SPH (Item 51)
6340-86 York Road - York Road Plaza
corner W/S York Road and W/S Schwartz Avenue
9th Election District - 4th Councilmanic
Petitioner(s): Wynness Associates
Hearing: THURSDAY, SEPTEMBER 22, 1994 at 2:00 p.m. in Room 118, Old Courthouse.
Special Hearing: to approve an amendment of cases #66-105-RXA and #93-198-SPHA to modify the approved site plan to the extent of any conflict with the submitted site plan, which includes reinstating the service garage in the location approved in case #66-105-RXA and an amendment to the approved development plan IX-597 to reflect the submitted new 1st Amended Development Plan.

[Signature]
Arnold Jablon
Director

cc: Wynness Associates/Mid-Atlantic Realty Trust
G. Scott Berhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

SEP. 07 1994

RE: Item No. 51, Case No. 95-53-SPH
Petitioner: Wynness Associates/Mid-Atlantic Realty

Dear Mr. Berhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 10, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filling of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby completed zoning petitions who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

MCR:ggg
Printed with Rayburn Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM
DATE: August 26, 1994
FROM: Jeffrey Long
Office of Planning & Zoning
SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following
Petitions:
ITEM NOS. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,
and 61.

Please contact me if you have any questions or require additional information.

Jeffrey Long
Jeffrey Long

JL:bjs

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AUG 29 1994
ZADM

STEPHENS, J.L./PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 451 (MJK)

95-53

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to
approval as it does not access a State roadway and is not effected by any State Highway
Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/18/94

95-53

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: WYANESS ASSOCIATES

LOCATION: CORNER W/S YORK RD. AND NE/S SCHWARTZ AVE. (6340-86 YORK RD.,
YORK ROAD PLAZA)

Item No.: 51 Zoning Agenda/SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below are applicable and required to
be corrected or incorporated into the final plans for the property.

S. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1991
edition prior to occupancy.

RECEIVED
AUG 19 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4381, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 23, 1994

SUBJECT: 6340-86 York Road

INFORMATION:

Item Number: 51

Petitioner: Wyaness Associates

Property Size:

Zoning: B.L.-C.C.C.

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The petitioner requests approval of a first amendment to the previously approved
development plan, Case No. 93-198SPHA and file IX-597.

York Plaza is within the Towson Community Plan area and is mapped as Urban Cen-
ter/Employment area. Adjacent residentially zoned communities are within a Commu-
nity Conservation area (Outer Neighborhood). The first amended development plan
and first amended landscape plan dated June 30, 1994 have been reviewed by this
office. The development plan indicated 87,300 sq. ft. of gross floor area with
415 parking spaces required and 392 parking spaces provided as compared with the
first amended development plan which indicated 93,538 sq. ft. of gross floor area
with 485 parking spaces required and 391 provided.

Numerous changes have been made to the plan including retention of the existing
Firestone service garage and the addition of the free standing Boston Chicken
family restaurant. These changes result in a plan that has site circulation
problems and landscaping deficiencies and, therefore, are inconsistent with the
Towson Community Plan.

ZAC.51/PZONE/ZAC1

Pg. 1

This office recommends approval of the first amended plan provided the following
revisions are made to the plan.

LANDSCAPING AND PEDESTRIAN CIRCULATION

1. Restore the landscape area at the north side of the main entrance; this will
mean removing three parking spaces.
2. Close the 40' wide curb cut near the Firestone building; this will allow
for 5 parking spaces to be added.
3. Add landscape treatment in the island to the rear of the Firestone building.
4. Add a sidewalk on the north side of the entrance driveway to improve
pedestrian circulation from York Road to the shopping center.
5. Restore the landscape area at the south corner of York Road and the Boston
Chicken restaurant; this will involve removing two parking spaces. Relocate
the dumpster behind Boston Chicken.
6. Restore the landscape area along Schwartz Avenue to provide a visually
pleasing buffer for the residential community. Provide a detail for the
wrought iron fence showing height, type and location of all planting materi-
als. The planting materials should be planted on both sides of the fence.
7. The paved plaza area at the corner of the proposed Giant and retail
building is much larger than shown on the previous plan. A landscape plan
for this plaza area should be provided for the Office of Planning and
Zoning's review.
8. Restore the uniform row of street trees from boundary to boundary along
York Road.

SIGNATURE

1. A new sign detail should be provided for the York Plaza Shopping Center
identification sign. It is preferable to add Firestone and Boston Chicken
to the shopping center identification sign instead of separate freestanding
signs.

TRANSPORTATION

1. The bus stop along York Road should be relocated in accordance with
comments provided by the M.T.A.

DESIGN

1. Elevation drawings should be provided for the Boston Chicken family
restaurant.

Prepared by: *Jeffrey W. Long*
Division Chief: *Samuel Kern*

PK/JL:lw

ZAC.51/PZONE/ZAC1

Pg. 2

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

September 9, 1994

(410) 887-3353

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-53-SPH, Item No. 51
Petitioner: Wyaness Association/Mid-Atlantic Realty

Dear Mr. Barhight:

Enclosed are copies of comments received from Office of Planning
and Zoning on September 2, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

Joyce Watson

Enclosure

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on Recycled Paper

RE: PETITION FOR SPECIAL HEARING *
6340-86 York Road - York Road Plaza *
cor W/S York Road and NE/S Schwartz *
Avenue, 9th Election Dist, 4th *
Councilmanic *
Wyanness Associates *
Petitioner *
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-53-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-
captioned matter. Notice should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy
of the foregoing Entry of Appearance was mailed to G. Scott Barhight,
Esquire, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for
Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RODGERS FORGE COMMUNITY ASSN., INC.

AUGUST 4, 1994

Please be advised that the Rodgers Forge Community has not
formed a position on the requested variance request for a free-standing
3,000 square foot building next to the Texaco station on the west side of
York Road in the York Road Plaza as proposed by the Mid-Atlantic Realty
Trust at a special meeting of our board on July 25, 1994 until the next
regular board meeting to be held on September 21, 1994.

Of interest, this proposal was reviewed by some of our board
(fourteen members) on July 13 and thirteen members favored not to
approve the requested variance for the 3,000 square foot building.

We trust that your office will consider our community input in mid-
September.

Sincerely,

Honey Holston
Honey Holston
President, R.F.C.A.

RECEIVED
AUG 8 1994
ZADM

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME ADDRESS
Debra S. Carter, Maryland Shop 4444 Kent Ave. Baltimore, MD 21212
Janice Moore 138 Dumbarton Rd. Baltimore, MD 21201
Catherine H. Jones 323 Hopkins Rd. 21212
William N. Gross 94 Dunbar Rd. 21212
Carol L. Zullo 325 Munroe Rd. 21212
Brian Zullo 407 E. Fayette St. 21202
Joseph M. Zullo 6300 Pinehurst Rd. 21212
Cynthia Rivers 417 E. Fayette St. 21202
Donald Gendling 335 Old Trail 21212

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
Michael Trenery Mid-Atlantic Realty Trust 1306 Concourse Dr. Linthicum 21090
Zoeus Sykes Superior Foods of MD. 2303-H Road 21401
JEAN TANSEY DMW Inc., 200 E. PA. AV. 21286
William Simmons Mid-Atlantic Realty Trust 806 Concourse Dr. Linthicum, MD 21090

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME ADDRESS
Andrea Van Houdt Office of Planning & Zoning
JEE MARANTO ZADM

SEP 22 '94 09:41 NPT

P.2/2

O. James Lighthizer, Secretary

AAZTA

John A. Agro, Jr., Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION
MASS TRANSIT ADMINISTRATION
300 West Lexington Street • Baltimore, Maryland 21201-3415

TO: Arnold Jablon, Director
FROM: Valerie Schwaab, Regional Planner
Mass Transit Administration
DATE: September 9, 1994
SUBJECT: Site Plan Review of 6340-86 York Road

The Mass Transit Administration supports the relocation of the curbside bus stop currently located in front of WMAR-TV to the entrance of York Road Plaza, the predominant destination for patrons using the WMAR-TV stop. This relocation will place the bus stop at the crosswalk connecting the York Road Plaza and the Anneslie Shopping Center thereby improving pedestrian access to both sites.

The bus stop, consisting of a bench and a route identification sign should be incorporated into the landscape and sidewalk plan for the north side of the main entrance.

Please have the developer contact me at 333-1584 should he/she require any information of the MTA.

Thank you.

PETITIONER'S
EXHIBIT No. 1

cc: Leonard Barber

My phone number (410) _____
FAX number (410) _____
TDD for people who are hearing and/or speech impaired _____

GAYWOOD COMMUNITY ASSOCIATION
P.O. BOX 10153
TOWSON, MD 21285

Mid-Atlantic Realty Trust
Gateway International
1306 Concourse Drive
P.O. Box 497
Linthicum, MD 21090-0497

Attn. Mr. Michael Trenery, Vice President

Re: York Road Plaza Shopping Center
Redevelopment Proposal

Dear Mr. Trenery:

The Gaywood Association Board is in receipt of the artist conceptual drawing to the above referenced proposal, which shows the relocation of the Boston Chicken Restaurant.

The Board discussed the project proposal at the August meeting and understands that because of a variety of constraints the plan now shows the restaurant on York Road adjacent to the Texaco Station. The Board has reviewed this and has no real objections to the change. The only concern raised was that it appeared as if there could be more landscaping of the site.

In brief, therefore, the Association Board views the overall site changes as a plus to the community.

Best Regards,

Kevin B. Reecht

Kevin B. Reecht,
Gaywood Community Association President

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE
BALTIMORE, MD. 21212

September 22, 1994

Zoning Commissioner
Baltimore County

Please be advised that the Rodgers Forge Community has formed a position on the requested variance request for a free-standing 3,000 square foot building next to the Texaco station on the west side of York Road in the York Road Plaza as proposed by the Mid-Atlantic Realty Trust.

Of interest, this proposal was reviewed by our board on July 13, 1994 and at a special meeting of our board on July 25, 1994. On September 21, 1994 our board meeting produced the position NOT to approve the requested variance for the 3,000 square foot building.

We trust that your office will consider our community input.

Sincerely,

Honey Holston

Honey Holston
President - Rodgers Forge Community
Association

PROTESTANT'S
EXHIBIT NO. 1

